

**MINUTES
INDIANA BOARD OF PODIATRIC MEDICINE
JULY 30, 2010**

I. CALL TO ORDER

Dr. Coda called the meeting to order at 9:20 a.m. in Room W064 located in the Indiana Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and established a quorum in accordance with IC § 25-29-2-5.

Members Present:

Vincent Coda, D.P.M., President
Jonathan Norton, D.P.M.
Mark Schlichter, D.P.M.
William K. Oliver, D.P.M.

Members Absent:

John M.T. Chavis, II, Consumer Member
Vacant, Consumer Member

Staff Present:

Valerie L. Jones, Board Director
Ronnie C. Saunders III, Assistant Board Director
Julie Alexander, Deputy Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

OLIVER/SCHLICHTER
Motion carried 4-0-0

III. APPROVAL OF MINUTES FROM FEBRUARY 12, 2010

A motion was made and seconded to approve the minutes, of the February 12, 2010 meeting of the Board.

OLIVER/NORTON
Motion carried 4-0-0

IV. PERSONAL APPEARANCES

**A. Bryan E. Hendrix, DPM, License #07000510A
Re: Probationary Personal Appearance**

Dr. Hendrix appeared before the Board as required per the terms of his Probation Order.

The Board questioned Dr. Hendrix about his current status. He is currently working at UPS and has applied to the VA hospital. The Board questioned Dr. Hendrix about when he plans to return to practice.

Dr. Hendrix stated that he is currently awaiting the right opportunity prior to beginning practice.

No action was required by the Board

V. ADMINISTRATIVE HEARING

A. In the Matter of Suzanne Haritatos Semko, DPM License #07000452A Administrative Cause No. 2002 PMC 003 Re: Complaint

Parties and Counsel Present:

Suzanne Haritatos-Semko, Respondent
James H. Voyles, Counsel for the Respondent
Michael Minglin, Deputy Attorney General

Participating Board Members:

Vincent Coda, D.P.M., Hearing Officer
Jonathan Norton, D.P.M.
Mark Schlichter, D.P.M.
William K. Oliver, D.P.M.

Case Summary: Dr. Haritatos-Semko's license was suspended on February 26, 2004 after the Board found that she aided and abetted in the unauthorized practice of podiatric medicine. Dr. Haritatos-Semko's is not permitted to seek reinstatement of his license for a period of five (5) years from the date of the February 26, 2004 Order. Dr. Haritatos-Semko appealed the Board's decision however the Board's Order was affirmed on January 18, 2006. During the judicial review the Board's February 26, 2004 Order was stayed by the court.

On February 1, 2010 Dr. Haritatos-Semko filed a Petition for Hearing to modify the February 26, 2004 Final Order.

Dr. Haritatos-Semko appeared before the Board with her counsel.

Counsel for the Respondent made an opening statement detailing the history of Dr. Haritatos-Semko's disciplinary action.

Counsel for the State of Indiana made an opening statement. The State informed the Board that Respondent's only allow for modification of Final Orders must be done within 30 days. The State further informed the Board that only extraordinary circumstances should be considered when lifting a suspension with a condition precedent.

Counsel for the Respondent questioned Dr. Haritatos-Semko about her medical and disciplinary history.

The Respondent further testified about her future plans to practice podiatry.

The State questioned Dr. Haritatos-Semko about her ability to re-enter the practice.

Counsel for the Respondent had an exhibit admitted without objection.

The Board questioned Dr. Haritatos-Semko about her surgical practice plans. Dr. Haritatos-Semko informed the Board that she has no plans to request hospital privileges.

Both the State and Counsel for the Respondent made closing statements before the Board.

The Board discussed the testimony and reviewed the complete file.

Board Action: A motion was made and seconded to place the Respondent on probation effective January 18, 2011 with the following terms and conditions:

1. Indefinite probation with no opportunity for withdrawal for at least two (2) years.
2. Receive monthly monitoring from an actively licensed podiatrist in good standing.
3. Monitoring podiatrist shall submit quarterly reports to the Board with the following information:
 - a. Medical records
 - b. Status of the office
 - c. Volume of patients
 - d. Ensuring Dr. Daniel Semko is not present while patients are present.
4. The monitoring podiatrist can request that the monthly monitoring be reduced after a minimum of four (4) months.
5. Respondent shall submit quarterly reports regarding updates and changes to personal information.
6. Respondent shall pay all costs of hearing.

OLIVER/SCHLICHTER
Motion carried 4-0-0

B. In the Matter of Daniel D. Semko, DPM
License #07000453A
Administrative Cause No. 2003 PMC 002
Re: Complaint

Parties and Counsel Present:

David D. Semko, Respondent
James H. Voyles, Counsel for the Respondent
Michael Minglin, Deputy Attorney General

Participating Board Members:

Vincent Coda, D.P.M., Hearing Officer
Jonathan Norton, D.P.M.
Mark Schlichter, D.P.M.
William K. Oliver, D.P.M.

Case Summary: Dr. Semko's license was suspended on February 26, 2004 after the Board found that he engaged in the unauthorized practice of podiatric medicine. Dr. Semko's is not permitted to seek reinstatement of his license for a period of ten (10) years from the date of the February 26, 2004 Order. Dr. Semko appealed the Board's decision however the Board's Order was affirmed on January 18, 2006. During the judicial review the Board's February 26, 2004 Order was stayed by the court.

On February 1, 2010 Dr. Semko filed a Petition for Hearing to modify the February 26, 2004 Final Order.

Dr. Semko appeared before the Board with his counsel. Counsel for Dr. Semko gave an opening statement arguing that there are extraordinary circumstances that should allow for his reinstatement to the practice of medicine.

Counsel for the State of Indiana made an opening statement. The State informed the Board that Respondent's only allow for modification of Final Orders must be done within 30 days. The State further informed the Board that only extraordinary circumstances should be considered when lifting a suspension with a condition precedent.

Counsel for the Respondent questioned Dr. Semko about his history as a podiatrist and disciplinary history. Dr. Semko was further questioned by his counsel regarding the reasons he believes that he should be reinstated and what he has accomplished since being suspended by the Board.

Dr. Semko testified that he believes he suffered from post traumatic stress disorder as a result of his tour of duty in Viet Nam. Dr. Semko testified that he spoke to a medical physician and psychiatrist about his disorder.

Counsel for the state questioned Dr. Semko about his post traumatic stress disorder.

The Board questioned Dr. Semko about his exceptional circumstances that would warrant allowing for the reinstatement of his currently suspended license.

Both the counsel for the Respondent and the State gave closing testimony.

The Board discussed the testimony and reviewed the complete file.

Board Action: A motion was made and seconded to deny the Respondent's motion to modify or issue a new Order.

OLIVER/NORTON
Motion carried 3-1-0

Dr. Schlichter voted nay

VI. OLD/NEW BUSINESS

A. 2011 Board Meeting Schedule and Agency Updates

The 2011 board meetings are scheduled for February 11, 2011 and July 22, 2011.

VII. LICENSURE APPLICATION REVIEW

A. Tanisha Smith, DPM Applicant

The Board reviewed the application of Tanisha Smith. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/OLIVER
Motion carried 4-0-0

B. Chantel Sanford, DPM Applicant

The Board reviewed the application of Chantel Sanford. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/OLIVER
Motion carried 4-0-0

C. Anthony Cole, DPM Applicant

The Board reviewed the application of Anthony Cole. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/OLIVER
Motion carried 4-0-0

D. Carolyn Cole, DPM Applicant

The Board reviewed the application of Carolyn Cole. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/OLIVER
Motion carried 4-0-0

E. Murtuza Peerbhai, DPM Applicant

The Board reviewed the application of Murtuza Peerbhai. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/OLIVER
Motion carried 4-0-0

F. Samuel Neuschwanger, DPM Applicant

The Board reviewed the application of Samuel Neuschwanger. A motion was made and seconded to approve the application pending receipt of proof of at least a 12 month residency.

SCHLICHTER/OLIVER
Motion carried 4-0-0

G. Jason D DeDoes, DPM Applicant

The Board reviewed the application of Jason D. DeDoes. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/OLIVER
Motion carried 4-0-0

H. Ashley Brook Lee, DPM Applicant

The Board reviewed the application of Ashley Brook Lee. A motion was made and seconded to approve the application and issue a full license.

SCHLICHTER/OLIVER
Motion carried 4-0-0

VIII. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Board of Podiatric Medicine adjourned at 11:26 a.m.

Vincent Coda, D.P.M., President
President, Board of Podiatric Medicine

Date